



# **Financial Management and Accountability Act 1997 Determination 2012/26 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)**

## *Financial Management and Accountability Act 1997*

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I, PETER GIBSON, Acting First Assistant Secretary, Financial Reporting and Cash Management Division, Department of Finance and Deregulation, make this Determination under subsection 32(2) of the *Financial Management and Accountability Act 1997* (the **FMA Act**).

This Determination is made due to a decision of the Australian Government to transfer functions for higher education, skills and vocational education policy and programs from the Department of Education, Employment and Workplace Relations to the Department of Industry, Innovation, Science, Research and Tertiary Education.

Dated 27 June 2012

PETER GIBSON  
Acting First Assistant Secretary  
Financial Reporting and Cash Management Division  
Department of Finance and Deregulation

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## 1 Name of Determination

This Determination is the *Financial Management and Accountability Act 1997 Determination 2012/26 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)*.

*Note 1:* This Determination has been made by a delegate of the Secretary of the Department of Finance and Deregulation. The Secretary is a delegate of the Minister for Finance and Deregulation in accordance with section 62 of the FMA Act. The Secretary has delegated his power in accordance with section 53 of the FMA Act.

*Note 2:* Acronyms used in this Determination are as follows:

- (a) “DEEWR” – refers to the Department of Education, Employment and Workplace Relations.
- (b) “DIISR” – refers to the former Department of Innovation, Industry, Science and Research
- (c) “DIISRTE” – refers to the Department of Industry, Innovation, Science, Research and Tertiary Education.

*Note 3:* On 14 December 2011, ministerial portfolios were restructured and departments were renamed. The former Department of Innovation, Industry, Science and Research (DIIRS) was renamed the Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE). The functions for higher education, skills and vocational education policy and programs transferred from DEEWR to DIISRTE due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.

## 2 Commencement

This Determination commences on the day which it is made.

## 3 Amendment of *Appropriation Act (No. 1) 2011-2012*

Schedule 1 amends *Appropriation Act (No. 1) 2011-2012* to:

- (a) reduce the “departmental” item for DEEWR by \$7,136,000.00; and
- (b) increase the “departmental” item for DIISR by \$7,136,000.00.

## Schedule 1 **Amendment of *Appropriation Act (No. 1) 2011-2012***

(Clause 3)

- [1] **Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, alongside “Total: Department of Education, Employment and Workplace Relations” under the heading “Departmental”**

*omit*

787,405

*insert*

780,269

- [2] **Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Employment, Education and Workplace Relations table**

*Omit the notes, insert*

Note 1: The table has been amended by determinations under the *Financial Management and Accountability Act 1997*. Such determinations have amended only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the “Total” amount in relation to an agency under the heading “Departmental”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading “Administered”.

No other amounts in the table have been amended.

Note 2: *Financial Management and Accountability Act 1997 Determination 2011/14 – Section 32 (Transfer of Functions from DEEWR to TEQSA)* amended in this table the amount alongside “Outcome 3” under the heading “Administered”, to transfer an amount to the departmental item for the Tertiary Education Quality and Standards Agency (TEQSA).

Note 3: *Financial Management and Accountability Act 1997 Determination 2011/21 – Section 32 (Transfer of Functions from DEEWR to TEQSA)* amended in this table the amount alongside “Outcome 3” under the heading “Administered”, to transfer an amount to the departmental item for TEQSA.

Legislation establishing TEQSA was passed by both Houses of Parliament on 23 June 2011 and received Royal Assent on 29 June 2011.

Note 4: *Financial Management and Accountability Act 1997 Determination 2012/06 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)* amended in this table the amount alongside “Outcome 3” under the heading “Administered”, to transfer an amount alongside administered “Outcome 3” to the former Department of Innovation, Industry, Science and Research (DIISR) (this department is now renamed Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE)).

The functions for higher education, skills and vocational education policy and programs transferred from the Department of Employment, Education and Workplace Relations to DIISR due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.

Note 5: *Financial Management and Accountability Act 1997 Determination 2012/18 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)* amended the amount alongside “Total: Department of Education, Employment and Workplace Relations” under the heading

“Departmental”, to transfer an amount to the former DIISR (this department is now renamed Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE)).

The functions for higher education, skills and vocational education policy and programs transferred from the Department of Employment, Education and Workplace Relations to DIISR due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.

*Note 6: Financial Management and Accountability Act 1997 Determination 2012/23 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)* amended the amount alongside “Outcome 3” under the heading “Administered”, to transfer an amount alongside administered “Outcome 3” in Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE).

The functions for higher education, skills and vocational education policy and programs transferred from the Department of Employment, Education and Workplace Relations to DIISRTE due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.

*Note 7: Financial Management and Accountability Act 1997 Determination 2012/26 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)* amended the amount alongside “Total: Department of Education, Employment and Workplace Relations” under the heading “Departmental”, to transfer an amount to the former DIISR (this department is now renamed Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE)).

The functions for higher education, skills and vocational education policy and programs transferred from the Department of Employment, Education and Workplace Relations to DIISR due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.

**[3] Schedule 1, immediately after the Innovation, Industry, Science and Research portfolio, Department of Innovation, Industry, Science and Research table, alongside “Total: Department of Innovation, Industry, Science and Research” under the heading “Departmental”**

*omit*

366,405

*insert*

373,541

**[4] Schedule 1, Innovation, Industry, Science and Research portfolio, after the Department of Innovation, Industry, Science and Research table**

*Omit the notes, insert*

Note 1: The table has been amended by a determination under the *Financial Management and Accountability Act 1997*. Such determinations amend only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the “Total” amount in relation to an agency under the heading “Departmental”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading “Administered”.

No other amounts in the table have been amended.

*Note 2: Financial Management and Accountability Act 1997 Determination 2012/06 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)* inserted “Outcome 3”, and alongside Outcome 3, an amount under “Administered”, to transfer an amount from the Department of Education, Employment and Workplace Relations (DEEWR).

The functions for higher education, skills and vocational education policy and programs were transferred from DEEWR to the the former Department of Innovation, Industry, Science and Research (DIISR) (this department is now renamed Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE)) due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.

Note 3: *Financial Management and Accountability Act 1997 Determination 2012/18 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)* amended the amount alongside “Total: Department of Innovation, Industry, Science and Research” under the heading “Departmental”, to transfer an amount from the Department of Education, Employment and Workplace Relations (DEEWR).

The functions for higher education, skills and vocational education policy and programs were transferred from DEEWR to the the former DIISR (this department is now renamed Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE)) due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.

Note 4: *Financial Management and Accountability Act 1997 Determination 2012/23 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)* transferred an amount under “Administered” alongside Outcome 3 from the Department of Education, Employment and Workplace Relations (DEEWR).

The functions for higher education, skills and vocational education policy and programs were transferred from DEEWR to the Department of Innovation, Industry, Science and Research due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.

Note 5: *Financial Management and Accountability Act 1997 Determination 2012/26 — Section 32 (Transfer of Functions from DEEWR to DIISRTE)* amended the amount alongside “Total: Department of Innovation, Industry, Science and Research” under the heading “Departmental”, to transfer an amount from the Department of Education, Employment and Workplace Relations (DEEWR).

The functions for higher education, skills and vocational education policy and programs were transferred from DEEWR to the the former DIISR (this department is now renamed Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE)) due to a change in the *Administrative Arrangements Order* with effect from 14 December 2011.